UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/825,502	04/15/2004	Roy Sykes	CITI0290	8557

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EXAMINER
VY, HUNG T

ART UNIT	PAPER NUMBER
2163	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	02/28/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

	Application No.	Applicant(s)
Office Action Summary	10/825,502	SYKES ET AL.
	Examiner	Art Unit	
	Hung T. Vy	2163	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>03 January 2007</u>.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-15</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-15</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

        1.☐ Certified copies of the priority documents have been received.

        2.☐ Certified copies of the priority documents have been received in Application No. _____.

        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

1.   As of entry of the amendment filed on 1/3/2007, claims 1-15 are pending in this

application. Upon reconsideration, the Applicant's arguments are not persuasive (see

response argument below).

Claim Rejections - 35 USC § 101

2.   35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of
> matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the
> conditions and requirements of this title.

Claims 1-15 are rejected under 35 U.S.C. 101 because the claimed invention is

directed to non-statutory subject matter.

As in claims 1 and 15, *a method for updating web pages on a web server without*

republishing the web pages does not produce a useful, and concrete as set forth in

2106 (IV)(B)(2)(b)(ii), e.g., *if the checker approves the change, replicating the change to*

the data on the quality assurance version is not a useful, concrete result because

replicating the change to the data on quality assurance version is still unknown if the

checker does not approve. If the checker approves the change, replicating the changes

to the data on the quality assurance version of the at least one business data table is

not being available for use in the method for updating web pages on a Web server.

Claims 2-14 depend to rejected claim 1 thereby those claims 2-14 are rejected

under 35 U.S.C. 101.

Claim Rejections - 35 USC § 102

3.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-3, 7, 9, 12, and 14-15 are rejected under 35 U. S. C. § 102 (b) as being anticipated by Skok (U.S. pub. No. 2002/0091725).

Regarding claims 1, 12, and 15, Skok discloses a method and system for updating web pages on a web server without republishing the web pages, comprising: providing on a production database server (203) a live version of at least one business data table (see paragraph 0065) containing information used to populate web pages on a production web server (203); storing in a quality assurance database server (205) a quality assurance version of the at least one business data table (see paragraph 0065) used to populate pages on a quality assurance web server (see fig. 2); allowing a maker at a business workstation (206)(authorized to create or edit content)(see paragraph 0038) to access the quality assurance database server (205) and enter a change to data on the quality assurance version of the at least one business data table (see paragraph 0065)(see fig. 2); allowing a checker (web masters) at a business workstation to access the quality assurance database server (205) to review and approve or reject the change to the data on the quality assurance version of the at least one business data table (see paragraph 0032, 0072); and if the checker approves the change, replicating the change to the data on the quality assurance version of the at least one business data table from the quality assurance database server (205) to the

live version of the at least one business data table on the production database server

(203)(see fig. 2 or paragraph 0032,0073).

Regarding claim 2, Skok discloses providing on the production database server

(203) the live version of the business data table containing information used to populate

web pages on the production web server (203) accessible via a browser

(internet/intranet)(202) on a customer workstation (201)(see fig. 2).

Regarding claim 3, Skok discloses storing the quality assurance version of the

business data table used to populate pages on the quality assurance web server (205)

accessible via a browser on a business workstation (see paragraph 0027 or fig. 3).

Regarding claims 7 and 9, Skok discloses allowing the maker to access the

quality assurance database server (205) and enter the change (edit) to the data further

comprises allowing the maker to access the quality assurance database server (205)

and enter the change to the data on the quality assurance version of the business data

table using a browser (html) on a business workstation (see paragraph 0035 with using

Netscape composer to edit) and it is inherent that Skok discloses the editing the table

including the delete, adding (see paragraph 0065).

With respect to claim 14, Skok discloses the respective web servers and

database server are coupled to one another via one of a global network and an intranet

(see fig. 2).

Claim Rejections - 35 U.S.C. § 103

4.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth
insection 102 of this title, if the differences between the subject matter sought to be patented and the prior
art are such that the subject matter as a whole would have been obvious at the time the invention was made
to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be
negatived by the manner in which the invention was made.

5.   Claims 4-6 and 10 are rejected under 35 U.S.C. 103 (a) as being unpatentable

over Skok (U.S. pub. No. 2002/0091725) in view of Ries et al. (U.S. Pub.

2003/0023632).

        Regarding claims 4-6, and 10, Skok discloses all limitations of claimed invention

recited in claim 1 except for sql database and backend database management.

However, Ries et al. discloses sql database (see paragraph 0092) and backend

database management (see paragraph 055-056). It would have been obvious at the

time the invention was made to a person having ordinary skill in the art to modify Skok's

method to have sql database and backend database management in order to have

different administration tools to edit the database in web server since such having sql

database and backend database management for the stated purpose has been well

known in the art as evidenced by teaching of Ries et al. (see paragraph 0019-0020).

6.   Claims 8 and 13 are rejected under 35 U.S.C. 103 (a) as being unpatentable

over Skok (U.S. pub. No. 2002/0091725) in view of Sutherland et al. (U.S. Pub.

2002/0120757).

        Regarding claims 8 and 13, Skok discloses all limitations of claimed invention

recited in claim 1 except for allowing the maker to designate a time for the change to be

accessible on web server. However, Sutherland et al. discloses allowing the maker

(administrator) to designate a time for the change to be accessible on web server (see

paragraph 0074). It would have been obvious at the time the invention was made to a

person having ordinary skill in the art to modify Skok's system to allow the administrator to designate a time for the change to be accessible on web server in order to increate the security for the web server since such allowing the administrator to designate a time for the change to be accessible on web server for the stated purpose has been well known in the art as evidenced by teaching of Sutherland et al. (see paragraph 0074).

7.   Claim 11 rejected under 35 U.S.C. 103 (a) as being unpatentable over Skok (U.S. pub. No. 2002/0091725) in view of Cochran et al. (U.S. Pub. 2004/0030697).

Regarding claim 11, Skok discloses all limitations of claimed invention recited in claim 1 except for allowing the checker to access the quality assurance database server to review the change to the data suing a web browser on business workstation. However, Cochran et al. discloses allowing the checker (administrator) to access the quality assurance database server to review the change to the data using a web browser on business workstation (see abstract). It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify Skok's system to allow the administrator to access the quality assurance database server to review the change to the data using a web browser on business workstation in order to have administrator at remote site can able to view, manage or follow the status since such allowing the administrator to access the quality assurance database server to review the change to the data using a web browser on business workstation for the stated purpose has been well known in the art as evidenced by teaching of Cochran et al. (see paragraph 007).

Response to Arguments

8.   Applicant's arguments filed on 01/03/2007 have been fully considered but they

are not persuasive. Applicant made the following arguments:

a.   " The rejection of claims 1-15 under 35 U.S.C. 101 as directed to non-

statutory subject matter is clearly improper." page 7, fifth paragraph.

b.   "Skok fails to teach or suggest providing on a production database server

a live version of at least one business data table containing information used to

populate web pages on a production web server and storing in a quality

assurance database server a quality assurance version of the at least one

business data table used to populate pages on a quality assurance web server,

as recited in claims 1 and 15. On the contrary, Skok merely stores a live version

of HTML and attachment portions for web pages in a web server database, and

the edits created by a user on an application at the user's browser are simply

queued for approval before being copied to the web server database (See, e.g.,

Skok, pars. 0031, 0068 and Fig. 2)." page 8, fourth paragraph.

c.   "Skok fails to teach or suggest allowing a maker at a business workstation

to access the quality assurance database server and enter a change to data on

the quality assurance version of the at least one business data table. Instead,

according to Skok, the web server displays the web page in the user's browser

along with an editing application with which the user edits the web page on the

web page database, and the edited web page is simply queued for a checker to

approve (See, e.g., Skok, par. 0066 and 0068)." page 8, last paragraph and page 9, first paragraph.

d.   "Skok fails to teach or suggest allowing a checker at the business workstation to access the quality assurance database server to review and approve or reject the change to the data on the quality assurance version of the at least one business data table, as recited in claims 1 and 15. On the contrary, instead of a accessing a quality assurance database storing a quality assurance version of the business data table as recited in claim 1 and 15, according to Skok, the checker simply approves the queued web page edits for publishing (See, e.g., Skok, par. 0066).", page 9, second paragraph.

e.   "There is no hint of teaching or suggestion in Skok of replicating the change to the data on the quality assurance version of the at least one business data table from the quality assurance database server to the live version of the at least one business data table on the production database server if the checker approves the change, as recited in claims 1 and 15. As the Examiner should know, replicating is a term of art which is clearly distinguishable from simple copying, as discussed at length in the Specification, e.g., at p. 6, line 22- p. 7, line 13; and p. 21, lines 11-22; p. 22, lines 17-28. Instead of replicating the change on the quality assurance version from the quality assurance database server to the live version on the production database server, according to Skok, the user's edits are merely copied to the web server if approved (See, e.g., Skok, par. 0031).", page 9, third paragraph.

The Applicant's arguments **a** are not persuasive because the claims do not provide final result if the checker does not approve the change. The rejection of claims 1, 15 under 35 U.S. C 101 as directed to non-statutory subject matter is clearly proper.

The Applicant's arguments **b** are not persuasive because Skok discloses a production database server (203) a live version of at least one business data table (i.e., "tables" (0065)) containing information (HTML editor, Java programming language applet, etc.,) used to populate web pages on a production web server (203). The claims do not recite any structure or method to define the different between the database server of this application and the web server (203) of Skok.

The Applicant's arguments **c** are not persuasive because Skok discloses the user's browser along with an editing application with the user edits the web page on the web page database. What is the different between the maker and user? User using the browser at workstation to access the database server and edits (change to data) the data as applicant admitted in page 8-9.

The Applicant's arguments **d** are not persuasive because the claims fail to recite the structure to define the different doc server 205 and a quality assurance database. Both of them are database to store a quality assurance version of the business data table before to publish. The data in the Doc server (a quality assurance version of the business data table) get approve from the web page edits (checker) for publishing (0066).

The Applicant's arguments **e** are not persuasive because Skok discloses the user's edits copied (replicating) to the web server if approved. Based on the dictionary (wikitionary), the replicate is as to make a copy. If the Applicant thinks the replicating is different with the Skok, the Applicant should put its in the claim's language to define the different. The claims have been interpreted in the broadest meaning.

The applicant's argument about the rejection 103, the Applicant's arguments are not persuasive because Skok and Ries or Skok and Sutherland or Skok and Cochran et al., in combination, discloses all limitations of claims invention (see rejection above). Further, Sutherland discloses the administrator (a maker) can granting group permissions to specific resources and time to access to web server as required in claim 8. Also, Skok discloses the user to use a web browser on a business workstation to access the quality assurance database server (Doc Server)(205) to review and approve or reject the change to the data (Skok, 0066) as claimed 11 invention so Skok and Cochran discloses all limitation of claimed invention in claim 11.

Conclusion

9.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the mailing date of this final action.

10.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Hung T. Vy whose telephone number is 571-2721954.

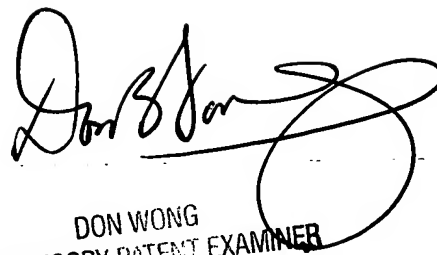The examiner can normally be reached on 8.30am - 5.30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Don Wong can be reached on 571 272 1834. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

Hung T. Vy
Art Unit 2163
February 22, 2007.

DON WONG
SUPERVISORY PATENT EXAMINER
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